

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2220

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**Version:** As introduced

**Authors:** Poppe and others

**Subject:** Unreasonable restraint of children

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### Overview

This bill amends the crime of unreasonable restraint of a child by reducing the resulting level of harm required for a felony offense. Currently, it is a gross misdemeanor for a parent, guardian, or caretaker to use unreasonable restraint against a child. If the confinement or restraint results in substantial bodily harm, the offense is a five-year felony. The bill replaces "substantial bodily harm" with "demonstrable bodily harm" in the felony-level offense.

"Substantial bodily harm" is defined in statute as "bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member." Minn. Stat. § 609.02.

"Demonstrable bodily harm" is not defined in statute. The courts have defined it as proof of harm between "bodily harm" and "substantial bodily harm," or more specifically, harm that is capable of being perceived by someone else - a visible or apparent injury.